

PART II APPLICATION/PROCESSING

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PART II APPLICATION/PROCESSING (CON'T.)

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A. APPLICATION PROCESSING

Application processing includes filing and completing an application form, interviewing, and verifying certain information. The local agency must act promptly on all applications and provide food stamp benefits retroactive to the month of application to those households that complete the application process and are eligible. An application may be an initial application, a reapplication, or a recertification.

This chapter contains the responsibilities of households and local agencies in the application process. Expedited service is available to households in immediate need. See [Part V](#) for instructions regarding expedited service processing.

B. FILING AN APPLICATION (7 CFR 273.2(c)(1))

Households must file an application for food stamps by submitting the form to the food stamp office either in person, through an authorized representative or by mail. Households may also file the application by fax or **online**. The application and instructions are contained in [Part XXIV](#). **Guidance for retrieving online applications and validating the electronic signature of applicants is contained in Appendix II of [Part II](#).**

The date the food stamp office receives the application will determine the length of time a local agency has to deliver benefits. For a resident of a public institution who jointly applies for SSI and food stamps before the release from the institution however, the food stamp application filing date will be the date of the applicant's release from the institution.

Each household has the right to file an application form on the same day it contacts the food stamp office during office hours. Local agencies must document the application filing date by recording on the application the date on which the food stamp office received the application. For joint SSI and food stamp applicants who file before leaving the institution, the application filing date the agency must record is the date of the applicant's release from the institution.

Households must normally apply for food stamp benefits for all persons who reside together and who purchase and prepare food together. In some instances, households may choose to exclude certain persons from the application process to avoid providing identifying information about these individuals. Such an instance might include a household with certain immigrant members who want to avoid the receipt of benefits in connection with their immigration status. Households may classify certain members as "nonapplicants" and omit providing Social Security numbers, immigration status and immigration control numbers. If an applicant classifies a mandatory household member as a nonapplicant, as per [Part VI.A.2](#) (spouse, parent, child), the EW must determine the eligibility of the remaining household members using the income and

resources of the nonapplicant in the same manner as disqualified members ([Part XII.E.2.b](#)). If the nonapplicant is not a mandatory household member, the EW must not count any of the income or resources of the excluded person.

1. Agency Action for the Initial Contact

When a household contacts the local agency and expresses an interest in obtaining food stamp assistance, the agency must take the following steps:

- a. The agency must provide an application upon request or, if contacted by telephone, advise the household that it may obtain the form in the office or that it is available by mail. The agency must mail the application the same day it receives the telephone request.
- b. The agency must encourage households to file applications on the same day they contact the agency or when households indicate food insecurity. The agency must encourage telephone callers to return the completed application to the agency as soon as possible by mail, in person, by fax, or **online**.
- c. The agency must explain that the processing time and the amount of benefits the household will receive, if the household is eligible, will depend on the application date.
- d. The agency must explain that separate rules exist for the Food Stamp Program and other programs so that the household should apply even if other programs have limitations on the receipt of benefits.

During the process described above in this section, the agency may get information from potential applicants that indicates probable ineligibility. The agency may not deny persons contacting the food stamp office before they file an application and the agency must not discouraged households from filing food stamp applications. Persons expressing an interest in the Food Stamp Program must always have an opportunity to apply for program benefits and, if determined ineligible, to receive a written denial notice.

2. Agency Actions for the Application Filing Date

Once an applicant files an application, completed with at least the applicant's name, address, and signature, the local agency must take the following actions on the application filing:

- a. The agency must determine the household's entitlement to expedited service processing. The agency should screen for the expedited entitlement while applicants are present in the agency.

If the applicant is not present in the agency, agency staff must review the application on the day of receipt to determine the entitlement to expedited service processing. If the applicant did not sufficiently complete the application to allow the worker to do the expedited screening, the agency must attempt must to contact the household by telephone if a number is on the application. If the agency cannot contact the household within the seven days to obtain the necessary information, the EW must process the application under normal processing policies until further contact with the household allows a delayed screening for expedited processing to take place.

- b. The EW must complete the Food Stamp Program - Hotline Information form and provide it to **any household that files a new application, a reapplication, or a late recertification application.**

3. Subsequent Actions Required After Filing An Application

Once the agency receives an application, that contains at least the applicant's name, address and signature, the agency must complete the following actions as soon as possible:

- a. The agency must advise the applicant that the agency must conduct an in-office interview before certification. The agency must also advise the household of the interview scheduling hours for the agency.
- b. The agency must advise the applicant that the agency may waive the office interview. The EW must make the determination whether to grant or deny an out-of-office interview.

4. Withdrawing An Application

The household may voluntarily withdraw its application at any time before the determination of eligibility. The local agency must document the case file as to the reason for withdrawal, if the household provides a reason, and that the agency made contact with the household to confirm the withdrawal. If the household makes the withdrawal in person or submits a written note from a responsible household member, the agency needs no further confirmation. The agency must advise the household of its right to reapply at any time after the withdrawal. The EW must send the Notice of Action to deny the application.

5. Contacting The Wrong Locality

Note: The case transfer procedures of [Part XIV.A.8](#) do not apply to this section.

If a household contacts the wrong local agency, the agency must give the household the address and telephone number of the appropriate office. The agency must also offer to forward the household's application by mail or courier to the appropriate office that same day if the household completed enough information on the application to file. The agency must offer to forward the application, by fax or other means, the next day as long as the application gets to the receiving agency the same day. The agency must inform the household that the filing date and the processing standards will not begin until the appropriate office receives the application.

If the household mails its application to the wrong office, the agency must mail the application to the appropriate office on the same day. The agency may forward the application the next day by fax or any other means as long as the application gets to the receiving agency the same day. The normal processing time standards described in [Part II.F](#) do not begin until the correct office receives the application, except when the Social Security Administration forwards the application and the household meets the expedited processing entitlement, as noted in [Part II.H.2.b](#).

C. HOUSEHOLD COOPERATION (7 CFR 273.2(d))

If the household refuses to cooperate with the local agency in completing the application process, the EW must deny the application at the time of refusal. For the EW to determine that the household refused to cooperate, the household must be able to cooperate but clearly demonstrate that it will not take required actions that it can take to complete the application process.

Example

An applicant files an application. The EW notifies the applicant of the interview requirement and schedules an interview. The applicant must refuse the interview and not merely fail to appear for the interview in order for the EW to deny the application for refusal to cooperate.

If there is any question as to whether the household failed to cooperate or refused to cooperate, the EW must not deny the household for refusal to cooperate and the EW must assist the household, as appropriate.

The household will also be ineligible if it refuses to cooperate in any subsequent review of its eligibility, including reviews generated by reported changes and at recertification. Once denied or terminated for refusal to cooperate, the household may reapply but will not be eligible until its members cooperate with the local agency. In addition, the household will be ineligible if the members refuse to cooperate for a subsequent review of its eligibility as part of a quality control review. If the EW closes a household's case for refusal to cooperate with a quality control review, the household will not be eligible again until it cooperates with the quality control reviewer if the household reapplies before the end of the quality control reporting year (generally January **21**), regardless of the original sample month.

The household will not be ineligible when a person outside the household fails to cooperate with a request for verification. The agency may not consider disqualified or ineligible people excluded from the Food Stamp Program as nonhousehold members. See [Part VI.C](#).

D. INTERVIEWS (7 CFR 273.2(e)(1) and (3))

All applicant households, including those submitting applications by mail, fax, or electronically, must have face-to-face interviews with a qualified eligibility worker before initial certification and certification based on a reapplication. Interviews for recertification applications must occur at least once every twelve months. The individual interviewed may be the head of household, spouse, any responsible member of the household, or an authorized representative. For the purposes of this manual, responsible household member means a household member 18 years of age or older who has sufficient knowledge of the household's circumstances to provide any necessary information. The applicant may bring anyone to the interview as desired.

The certification interview must occur in the local agency food stamp office or other mutually acceptable site. The interview may take place in the applicant's home provided the EW arranges for the visit in advance as per [Part III.A.3](#).

The interviewer must not simply review the information that appears on the application, but must explore and resolve with the household unclear and incomplete information. At the same time, the EW must make the applicant feel at ease. The interview must include:

1. An explanation of basic program procedures, including the local agency's and the household's responsibilities and the consequences, if these responsibilities are not met. This includes an explanation of the consequences of voluntarily quitting employment. This also includes an explanation of the issuance and use of food stamp benefits as outlined in [Part I.C](#).

2. An explanation of the options available to the household and the advantages and disadvantages of each choice. This explanation must include the use of the utility standard or actual bills and the choice to have expenses averaged or counted only in the month billed.
3. An explanation of the household's rights.
4. An explanation that the agency may receive information through the Income and Eligibility Verification System (IEVS) or that the agency will access other computer systems. The agency will use and verify the information. Information that the agency receives may affect the household's eligibility and benefit level.
5. A discussion of appropriate collection actions for households that owe outstanding payments on claims.

In all instances, the agency must respect the household's right to privacy; the EW must conduct the interview as a confidential discussion of household circumstances. The scope of the interview may not extend beyond the examination of household circumstances that directly relate to the determination of household eligibility.

If an EW does not conduct the interview on the day the applicant files an application, the agency must schedule an interview. For applications and reapplications, the local agency must schedule interviews as promptly as possible to ensure eligible households receive an opportunity to participate within seven days, if expedited, or within 30 days after the household files an application. The agency should schedule the interview no later than 20 days after the application filing date for households that are not entitled to expedited processing. The EW must allow households a minimum of 10 days to provide information after the interview is scheduled.

If the household fails to appear for the **initial** scheduled interview, the local agency must send the household the *Request for Verification/Missed Interview* form no later than the close of business of the business day following the scheduled interview. The notice advises the household to reschedule the interview and that the agency will deny the application if the household does not reschedule the interview. **The agency needs to send the notice after the first missed interview appointment only.**

The agency must deny the application on the 30th day after the application filing date if the household does not request another interview. If the household requests a second interview during the initial 30-day period, the agency must not deny the application. If the household is eligible for benefits, the agency must issue prorated benefits from the application date.

The agency must not deny the application on the 30th day if the agency has not scheduled the interview before the 30th day. In addition, the agency must not deny the application on the 30th day if the agency has not allowed the household a minimum of 10 days after the interview to supply verification or needed information to process the application.

For agencies with walk-in systems for interviewing, the agency must assign a specific period for the applicant to appear for the interview if the applicant elects not to complete the interview on the day of the contact. The agency must schedule an interview even if the agency otherwise advises of the full range of interview hours available. As indicated above, the EW must send the *Request for Verification/Missed Interview* form to advise the household of the missed interview if the interview does not occur when scheduled. The agency must deny the application on the 30th day after the application filing date if the applicant misses the interview and does not reschedule the interview. See [Part IV.C.3](#) for interview time frames for the recertification process.

The agency may request a certified household appear for an in-office interview during the certification period in order to clarify the household's circumstances. The agency may not require an interview however. See [Part XIV.A.2](#) for a discussion of the agency's required actions on changes.

E. WAIVER OF THE OFFICE INTERVIEW (7 CFR 273.2(e)(2))

The agency must advise applicants at initial contact with the agency that the agency will waive the in-office interview and conduct a telephone interview or a prearranged home visit. The agency must waive the face-to-face interview on a case-by-case basis depending on individual household circumstances that include but are not limited to:

- a. illness
- b. care of a household member
- c. hardship due to residency in a rural area
- d. prolonged severe weather
- e. work or training hours during normal agency office hours
- f. situations where residents of shelters for battered women and children would be endangered if they leave the shelter
- g. transportation difficulties

The local agency must determine if the reason for the request, e.g., transportation or other hardship, reported by a household, warrants a

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waiver of the office interview. The agency must document the case file if it grants or denies a request for a waiver.

In addition to the conditions listed above, the agency may waive the office interview for households whose members are all elderly or disabled **and there is no earned income.**

The EW may waive the office interview at recertification without regard to the special circumstances listed above for households assigned certification periods of six months or less. A face-to-face interview must take place at least once every twelve months however unless the office interview waiver is appropriate.

Waiver of the face-to-face interview does not exempt the household from the verification requirements. The EW may allow the household to use special procedures, such as substituting a collateral contact for documentary verification if this would permit the household to provide verification in order to obtain its benefits in a timely manner.

Waiver of the face-to-face interview will not affect the length of the household's certification period.

F. NORMAL PROCESSING STANDARD (7 CFR 273.2(g)(1); 274.1)

The filing date of an application is the day the appropriate food stamp office receives an application. The minimal information an application needs is the applicant's name, address, and a signature by either a responsible member of the household or the authorized representative of the household. The local agency must provide eligible households that complete the initial application process an opportunity to participate, as soon as possible, but not later than 30 calendar days following the application filing date.

The 30-day processing standard does not apply for residents of public institutions who apply jointly for SSI and food stamps before their release from the institution. For these applicants, the agency must provide an opportunity to participate as soon as possible, but not later than 30 calendar days from the applicant's release from the institution.

The processing standards for households entitled to expedited service are in [Part V](#). The processing standards for the recertification process are in [Part IV.C](#).

The agency may not impose application procedures or processing standards of other programs on food stamp applicants.

1. Opportunity to Participate (7 CFR 273.2(g))

A household must receive the EBT card, the agency must authorize benefits and the vendor must post authorized benefits to the

account in order for the household to have an opportunity to participate timely.

Example

A household files an application on July 15. If the household is eligible, the agency must give the household an opportunity to participate by August 14. If August 14 falls on a Sunday, the EW must process the case by **Friday, August 5** so that the household may receive the EBT card **by mail** by Saturday, August 13 **or authorize the issuance of a vault card that the Case Name could pick up before August 14.** Additionally, the food stamp benefits must be posted to the EBT account.

2. Denying the Application (7 CFR 273.2(g)(3))

The agency must send a *Notice of Action* to deny an application if households are ineligible for benefits. The agency must send the denial notice as soon as possible, but not later than 30 days following the application date. Part XXIV contains a copy of the *Notice of Action* and instructions.

3. Processing Cases with Prior Participation in another Locality

When a household indicates on the application or during the interview that it had been certified in another locality or State, for either the month of application or the prior month, the EW must establish the household's current status with the prior agency. The EW must establish and document the effective date of case closure with the prior agency.

The new locality may not issue duplicate benefits for any months covered by the application if the agency can establish that the household or any of its members are still active in the prior locality.

For household members who are subject to the Work Requirement, the agency must address prior participation in another Virginia locality before certifying the members if the agency is aware of such participation. When households move from one Virginia locality to another, the Food Stamp Benefit Tracking Sheet or case information must be shared with the other agency to record participation fully.

Contacts with Other States

For applications filed by persons who are certified for food stamp benefits in another state, if otherwise eligible, the Virginia agency must issue benefits if the agency can establish that the household did not participate in the other state. If the agency

is not able to establish whether a household or a household member participated in the other State, the agency must accept the household's statement regarding participation. If there is reason to consider a household's statement questionable, the agency must resolve the questionable information before the case is approved. For households entitled to expedited service however, the agency must postpone resolution of this questionable information so that benefit delivery is not delayed beyond the expedited processing time.

The agency must follow-up with the other state agency to determine if the household participated in the other area. Allow sufficient time for the agency to determine if the household participated in the other state. If duplicate participation occurs for any months in question, the Virginia agency must file a claim for any benefits the household received while it also received benefits from the other state.

For household members who are subject to the Work Requirement, the agency must also address participation in another state towards the number of countable months if there is an indication from the application or interview that the member may have received food stamp benefits during the current 36-month period.

G. DELAYS IN PROCESSING

If the local agency does not determine a household's eligibility and provide an opportunity to participate within 30 days following the date the application was filed, the local agency must take the following action:

1. Determining Cause (7 CFR 273.2(h)(1))

The local agency must determine who caused the delay using the following criteria:

- a. A delay must be considered the fault of the household if the household failed to complete the application process even though the local agency took all required action to assist the household. The local agency is required to take the following actions before a delay can be considered the fault of the household:
 - 1) For households that failed to complete the application, the local agency must have offered, or attempted to offer, assistance in its completion.
 - 2) If one or more members of the household failed to register for work, as required in Part VIII.A, the

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local agency must have informed the household of the need to register and given the household at least 10 days from the date of notification to register these members.

- 3) In cases where verification is incomplete, the local agency must have provided the household with a statement of required verification and offered to assist the household in obtaining required verification, and allowed the household sufficient time to provide the missing verification. Sufficient time will be at least 10 days from the date of the local agency's initial request for the particular verification that was missing.
 - 4) For households that failed to appear for an interview, the local agency must have scheduled an interview within 30 days following the date the household filed the application. If the household failed to appear for the interview, and the household does not request that the agency reschedule another interview until after the 20th day but before the 30th day following the application filing date, the household must appear for the interview, bring verification and register members for work by the 30th day; otherwise, the delay will be the fault of the household. If the agency must allow the household additional time to provide information or verification, the delay will be the fault of the household. If the household failed to appear for the interview and requests another interview to occur after the 30th day following the date of application, the delay will be the fault of the household. If the household missed the scheduled interview and misses the one it requested, the household must request another interview and any delay will be the fault of the household.
- b. Delays that are the fault of the local agency include, but are not limited to, those cases where the local agency failed to take the actions described in items 1-4 above.
- c. In some situations, a case file is complete except for a household member's failure to comply with an eligibility requirement that results in disqualification for noncompliance (e.g. failure to register for work). In such situations the EW must:
- 1) Ensure that the household had at least 10 days to comply. If the household did not have that timeframe,

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consider the delay agency-caused and hold the application in pending status for an additional 30 days.

- 2) If an individual must be disqualified, instead of the entire household, process the case for the remaining household members. Consider the disqualification imposed with the effective date of the initial allotment. If the entire household must be disqualified (e.g., the head of the household failed to register for work, or the household simply has one member), extend the pending status of the case an additional 30 days, as client delay.

2. Delays Caused By The Household (7 CFR 273.2(h)(2))

If by the 30th day the local agency cannot take any further action on the application because of the household's delay, the household will lose its entitlement to benefits for the month of application. In addition to the loss of benefits for the month of application, the agency must prorate benefits from the date the household completes its final task for processing the application. The local agency, however, must give the household an additional 30 days to take any required action.

The local agency must send the household the *Notice of Action* to extend the pending status of the application so that the household will receive the notice by the 30th day. The notice must advise the household of the outstanding actions the household must take to complete the processing of the application. The agency does not need to take any further action, including sending an additional notice, after the agency sends the notice if the household fails to take the required action within 60 days following the application filing date.

The Local agency may include in the notice a request that the household must report all changes in circumstances since it filed its application.

If the household was at fault for the delay in the first 30-day period, but the agency finds the household eligible during the second 30-day period, the local agency must provide benefits from the day the household completes the final required action or provides the last verification. The household is not entitled to benefits for the month of application when the delay was the fault of the household. Once the household furnishes the information necessary to determine its eligibility, it is the agency's obligation to process the case during the second 30-day period.

3. Delays Caused by the Local Agency (7 CFR 273.2(h)(3))

Whenever a delay in the initial 30-day period is the fault of the local agency, the local agency must take immediate corrective action. The local agency may not deny the application if it caused the delay, but must notify the household that the agency is still holding the application. The EW must send the *Notice of Action* to notify the household of the extended pending status of the application. The EW must send the *Notice of Action* so that the household receives it by the 30th day following the application filing date. The *Notice of Action* must also notify the household of any action it must take to complete the application process.

If the agency finds the household eligible during the second 30-day period, the agency must provide the household benefits retroactive to the month of application. If, however, the household is ineligible, the local agency must deny the application. Once the household furnishes the information necessary to determine its eligibility, it is the agency's obligation to process the case during the second 30-day period.

4. Delays Beyond 60 Days (7 CFR 273.2(h)(4))

If the local agency is at fault for not completing the application process by the end of the second 30-day period, and the case file is otherwise complete, the local agency must continue to process the application. If the household is eligible and the local agency was at fault for the delay in the initial 30 days, the household must receive benefits retroactive to the month of application. If, however, the initial delay was the household's fault, the household will receive benefits retroactive only to the day the household completes the final action needed to process the application.

If the local agency was at fault for not completing the application process by the end of the second 30-day period, but the case file is not complete enough for the EW to determine eligibility the local agency must deny the case and notify the household to file a new application. The agency must also advise the household of its possible entitlement to benefits lost as a result of the agency-caused delays.

If the household provides the necessary information and the agency determines the household eligible for the previous 60-day period, the household must receive benefits retroactive to the month of application if the local agency was at fault for the delay in the initial 30 days. If, however, the initial delay was the household's fault, the household will receive benefits retroactive only to the day the household completes the final action needed to process the application.

If the household is at fault for not completing the application process by the end of the second 30-day period, the local agency must deny the application. The agency must advise the household to file a new application if it wishes to participate. If the household was at fault the first 30 days also, the household would have been sent the *Notice of Action* to extend the pending status of the application. The local agency does not need to take any further action at the end of the second 30 days if the initial delay is the fault of the household. If the local agency was at fault the first 30 days, the agency must send the *Notice of Action* to deny the application. The household is not entitled to any lost benefits, even if the delay in the initial 30 days was the fault of the local agency.

5. Reinstatements

The agency must return applications denied incorrectly because of agency error to pending status if the action date is within 60 days from the date of application. After the 60th day, the application must remain denied. The agency must encourage the household to file a new application and determine entitlement to lost benefits, if appropriate. In determining whether to reinstate the pending status within the first 60 days, the agency should consider the nature of the error and the amount of time that has passed which might affect the reliability of the information provided.

Ongoing cases incorrectly closed due to agency error may be reinstated to the certification period at the time of the closure only if the case was correct as of the effective date of the closure. The agency may reinstate the case either before the effective date of the closure or in the month following the closure.

Whenever the agency needs to reinstate an application or ongoing case, agency records must reflect this change. Reinstating cases, as described in this chapter, is only appropriate when an agency error caused the erroneous denial or termination.

H. JOINT PROCESSING AND CATEGORICAL ELIGIBILITY OF PA CASES

This chapter contains the requirements for joint processing which exist for food stamp applicants who are also applying for Temporary Assistance for Needy Families (TANF), Maintenance General Relief (GR), or Supplemental Security Income (SSI). This chapter also contains the policies for categorical eligibility for food stamps for these public assistance (PA) households. **See the PA Case definition in Definitions for program descriptions needed to qualify as a public assistance program.**

1. Applications for TANF or GR and Food Stamps (7 CFR 273.2(j))

The local agency should encourage households in which all members are applying for TANF or GR to apply for food stamp benefits at the same time. The agency must regard all applications for TANF and GR, except those on which the household indicates that it does not want food stamps, as applications for food stamp benefits. (A space is on the application for the household to indicate if it does not want food stamps.) If the household's intention to apply for food stamps is unclear, the local agency must determine at the interview, or through other contact with the household, whether or not the household wants the application processed for food stamp purposes. The EW must base food stamp eligibility and benefit levels solely on Food Stamp Program eligibility criteria and certify the household according to the notice, procedural and timeliness requirements of this manual.

The local agency must not discourage households from applying for food stamps even when there might be encouragement or inducements to avoid dependence on other public assistance programs or benefits.

The local agency must conduct a single interview at initial application for both the public assistance programs and food stamp purposes. The agency may not require households entitled to joint processing to see different eligibility workers or otherwise subject them to two interview requirements to obtain the benefits of both programs. Following the single interview, separate workers may process the applications for food stamps and public assistance to determine eligibility and benefit levels. There is one exception; when a household is eligible for an out-of-office interview for food stamps, in accordance with [Part II.E.](#), but a face-to-face interview is needed for the PA eligibility determination, the food stamp out-of-office interview overrides the requirement for a single interview.

For households applying for both a public assistance program and food stamps, the EW must follow the verification procedures described in [Part III.A.](#) for eligibility factors that are needed solely for purposes of determining the household's eligibility for food stamps. For eligibility factors that the agency needs to determine both PA eligibility and Food Stamp eligibility, the local agency must use the PA verification rules. The local agency may not delay **processing the food stamp application** if, at the end of **seven days or 30 days** following the application date, as appropriate, the agency has sufficient verification to meet the food stamp but does not have sufficient verification to meet the PA verification rules.

Because of differences between PA and food stamp application processing procedures and timeliness standards, the local agency may need to determine food stamp eligibility before determining the household's eligibility for PA payments. The agency may not delay acting on the food stamp application simply because the PA application is pending. The agency may not deny the food stamp application because of the pending PA application if the household is otherwise eligible for food stamps.

The timing of the initial PA payment in the food stamp allotment depends on whether the agency knows the date of receipt and amount of the PA payment when the worker approves the food stamp case. If the EW can anticipate the amount and the date of receipt of the PA payment, the worker may include the income in computing the allotment for the month(s) the worker anticipates the payment.

The agency must not count as income portions of initial PA payments that cover a previous month. While the retroactive payment does not count as income, the money must count as a resource.

If the EW factors in the PA payment in the food stamp calculation at the time of initial certification, the agency must inform the household of the varying allotments on the *Notice of Action*. When the EW cannot anticipate the PA payment at the time of initial certification, the EW should include on the *Notice of Action* that the benefits may reduce or terminate without additional another notice when the agency applies the PA payment in the food stamp determination. If the notice did not inform the household of the potential impact, the household must receive an advance notice if its food stamp allotment is reduced or terminated as a result of the counting the PA payment.

If the agency denies a household's PA application, the household does not need to file a new food stamp application. The agency must determine or continue the food stamp eligibility based on the original applications filed jointly for PA and food stamp purposes. The agency must use any other documented information obtained after the application if it is relevant to food stamp eligibility or level of benefits.

If the agency approves the TANF application after the start of the food stamp certification period, the EW may lengthen the food stamp certification period to coincide with the scheduled TANF case review. See [Part IV.D.2.](#) for a discussion about lengthening the certification period and the limitations on this process.

2. Application for SSI and Food Stamps

Households consisting solely of SSI applicants or recipients may apply for food stamps at the Social Security Administration (SSA) Office. SSA personnel will accept food stamp applications at each SSA office in the State. The household must report that the household does not have a food stamp application pending and that is not currently participating in the Food Stamp Program, unless the application is for recertification. Food stamp eligibility criteria will always be the basis for food stamp eligibility and benefit level.

The SSA office and the local social services agency must take the following actions:

- a. Whenever a member of a household consisting only of SSI applicants or recipients transacts business at an SSA office, the SSA office must inform the household of its right to apply for Food Stamp Program benefits at the SSA office without going to the food stamp office. SSI applicants and recipients have the right to apply at the food stamp office if it chooses to do so.

The SSA staff must complete joint SSI and food stamp applications for residents of public institutions applying for such benefits before release from the institution. In such cases, the date of the food stamp application will be the date of release from the institution. If SSA or the household does not notify the local agency of the applicant's release date, the agency must restore benefits to the applicant back to the date of release.

- b. Within one working day after receipt of a signed application, the SSA office must complete and forward the food stamp application to the local agency along with a transmittal form: Social Security Administration Transmittal for Food Stamp Applications. The local agency must make an eligibility determination and provide an opportunity to participate within thirty days following the date the SSA office received the signed application. If the household is entitled to expedited service however, the processing time standards will begin on the date the correct local agency receives the application.
- c. The local agency may not subject the household to an additional interview. In addition, the local agency may not contact the household in order to obtain additional information unless:
 - 1) the application is improperly completed;
 - 2) mandatory verification is missing;
 - 3) information received is questionable as determined by the local agency; or,
 - 4) it is necessary to discuss options available to the household, e.g., the use of the utility standard or actual bills, the choice to have expenses averaged or counted only in the month billed.

Even when the agency needs additional information, the agency may not require the applicant to appear at the local agency to finalize the eligibility determination for the application taken at the SSA office.

- d. The SSA office must refer persons who are not entitled to joint processing to the local social services agency.

- e. The SSA office must prescreen all applications for entitlement to expedited services on the day the SSA office receives the application. SSA must mark "expedited processing" on the first page of all applications that appear to be entitled to such processing. The SSA office must inform households that appear to meet the expedited service criteria that the household may receive the benefits sooner if the household applies directly with the food stamp office. The household may take the application from SSA directly to the food stamp office.

The local agency must prescreen all applications received from the SSA office for entitlement to expedited service on the day the correct agency receives the application. The local agency must certify all SSI households entitled to expedited services in accordance with [Part V](#) except that the expedited service processing time standard will begin on the date the correct agency receives the application.

- f. The local agency must ensure that households whose food stamp applications are forwarded by the SSA office are not already participating in the Food Stamp Program in any locality in the state.
- g. If the SSA office takes the SSI application or redetermination by telephone from a member of a pure SSI household, SSA must also complete the food stamp application during the telephone interview. In these cases, the food stamp application must be mailed to the applicant for signature. The household may return the application to the SSA office or to the local agency. If the SSA office receives the application, it must then forward the application to the social services agency. The local agency may not require the household be interviewed again and the agency may not contact the household in order to obtain additional information except for those reasons indicated in item c. above.
- h. SSA must send information to SSI recipients being redetermined for SSI by mail to inform them of the right to file a food stamp application at the SSA office (if they are members of a pure SSI household) or at their local food stamp office. SSA must also notify SSI recipients of their right to an out-of-office food stamp interview performed by the local agency if the household is unable to appoint an authorized representative.

- i. If the SSA office sends the application to the wrong agency, the local agency must forward the application to the correct agency within one working day. The incorrect mailing will not affect processing time standards except as indicated in Item b. above, when the household is entitled to expedited services.
- j. Recertification - Any household that may apply at the SSA for initial certification has the right to recertify at the SSA office also, regardless of whether the application for initial certification was taken at the SSA office or not. As in the case of application for initial certification, SSA will interview the applicant, obtain any readily available verification, complete a transmittal form, and send this material to the correct local agency.

In order to be eligible for uninterrupted benefits, however, the applicant must file his application for recertification at the SSA office on or before the date on the Notice of Expiration.

The local agency may not reverify information obtained and documented by SSA unless questionable or insufficient.

3. Categorical Eligibility for PA Households (7 CFR 273.2 (j)(2))

- a. Any household in which all members receive or are authorized to receive a cash payment from the TANF, Maintenance GR or SSI Program is eligible for food stamps regarding income and resources. Any household in which at least one person receives or is authorized to receive services funded through the TANF block grant also will be categorically eligible regarding income and resources. See the PA Case in [Definitions](#). Food stamp eligibility will not be extended if the entire household is residing in an institution or the entire household is disqualified for any reason from receiving food stamps or if the household fails to meet other nonfinancial criteria as contained in [Part VII](#).

Residents of public institutions who jointly apply for SSI and food stamps before release from the institution will not be categorically eligible when SSA determines potential SSI eligibility before the release. These individuals will be categorically eligible when SSA makes a final SSI determination and the individual leaves the institution.

Eligibility and allotment determinations for food stamps require that local agencies must evaluate the information provided by households. Categorically eligible households are subject to the same verification requirements as other households. However, categorically eligible households meet the following eligibility factors without additional verification:

- 1) Resource limits
- 2) Gross and net income limits
- 3) Social Security number information
- 4) Sponsored alien information, provided information exists in the PA case
- 5) Residency

If any of the following factors are questionable, the EW must verify that the household that is categorically eligible:

- 1) Contains only members that are TANF, Maintenance GR, or SSI recipients **or that at least one member receives a TANF-funded service;**
- 2) Meets the household definition in [Part VI.A.](#);
- 3) Includes all persons who purchase and prepare food together in one food stamp household, regardless of whether or not they are separate units for the public assistance program purposes; and,
- 4) Includes no persons as provided in [Part II.H.3.b.](#) below.

For purposes of determining categorical eligibility, any household in the TANF program, that is suspended for TANF or that is entitled to zero benefits under the TANF program will be a TANF household.

At the time of food stamp recertification, categorical eligibility will continue, even if the TANF review is not complete.

- b. Households in which all members receive TANF, Maintenance GR or SSI or at least one member receives a TANF-funded service will not be categorically eligible if:
 - 1) Any member who would normally participate with the household has been disqualified for an intentional program violation.
 - 2) The head of household failed to comply with work registration or employment and training requirements; or,
 - 3) The head of the household voluntarily quits or reduces work without good cause. ([Part VIII.B](#))

The agency must handle these households using all normal Food Stamp Program rules and procedures.

- c. A disqualified or ineligible **person** who resides with the household and who would normally be included with the household for food stamp participation will not cause the remainder of the household to lose categorical eligibility, as long as the remainder of the household meets the definition in [Part II.H.3.a.](#) of this chapter. The remaining household is eligible if the disqualified or ineligible person is excluded because the person is:
 - 1) an ineligible alien ([Part VII.F.](#));
 - 2) an ineligible student ([Part VII.E.](#));
 - 3) a resident of a nonexempt institution ([Part VII.C.](#));
 - 4) disqualified for failure to apply for a social security number ([Part VII.G](#));
 - 5) disqualified for violating probation or parole or for fleeing prosecution or imprisonment ([Part VI.C.2.f](#));
 - 6) disqualified because of a felony drug conviction ([Part VI.C.2.g](#));
 - 7) ineligible because of failure to comply with a work registration or employment and training requirement by a person other than the head ([Part VIII](#)); or
 - 8) ineligible because of the work requirement ([Part XV](#))

For purposes of work registration, the agency must apply the exemptions in [Part VIII.A.1](#) to individuals in categorically eligible households. Individuals who are not exempt from work registration are subject to the other requirements in [Part VIII.A](#).

4. Application Processing for PA Cases

Once the TANF, Maintenance GR, or SSI application is approved, the household is categorically eligible if conditions of [Part II.H.3](#) are met.

In order to determine if a household will be eligible due to its status as a PA household, the local agency may delay the food stamp eligibility determination within the normal timeliness standards of [Part II.F](#). The processing delay may occur as long as the household is not entitled to expedited service processing and it appears to be categorically eligible but it might otherwise be denied due to factors which will not be relevant once the PA application is approved.

The agency must ensure that the denied application of a potentially categorically eligible household is easily retrievable. The Notice of Action to deny the food stamp application must inform the household to notify the food stamp worker if its PA benefits are approved.

The local agency must reevaluate any denied application, filed jointly, or pending simultaneously for food stamps and PA benefits, whenever the household requests it or the agency becomes aware of the household's approval for PA benefits. The local agency may not require the client to come to the office for another interview, but must use any available information to update the application that was denied. It is permissible to contact the client by mail or telephone to determine any changes in circumstances. If the applicant amends the application, the household must initial and date any changes, and re-date and re-sign the application.

Except for residents of public institutions who apply jointly for SSI and food stamps prior to their release from the institution, any categorically eligible household determined eligible for TANF, Maintenance GR, or SSI within the 30-day food stamp processing time must be provided benefits back to the date of the food stamp application. The agency may not provide food stamp benefits for a month a household is ineligible for PA benefits, unless the household is eligible for food stamps as a NA case.

Households that become categorically eligible after the food stamp application is denied or during the extended pending period are eligible for food stamp benefits retroactive to the PA benefit effective date or the food stamp application date, whichever is later. Residents of public institutions who apply jointly for SSI and food stamps before their release from the institution are eligible for benefits from the date of their release from the institution.

Examples

- a. A household files a joint application for TANF and food stamps on 11/15. The household has **bank accounts with balances that total \$4200**. Because of the difference between the TANF and Food Stamp Programs in the evaluation of **resources**, the household would be ineligible for food stamps as a NA household, but categorically eligible if TANF was approved.

- 1) Suppose TANF eligibility is determined on 12/4, with the first money payment issued for December.

Because the household was determined eligible for TANF within the 30-day food stamp application processing timeframe, and was not determined ineligible for TANF for November, the household is considered categorically eligible back to 11/15, the date of the food stamp application.

- 2) Suppose as of 12/15, **a determination on the TANF application has not been made because of exceptions to the 30-day TANF processing period**. The agency may deny the food stamp application on the 30th day, keeping it easily retrievable, or issue a *Notice of Action* to extend the pending for an additional 30 days while awaiting a decision on TANF eligibility.

TANF is approved on 12/20, with the first money payment issued for December.

The household is eligible for food stamp benefits retroactively to December 1, the first month the households receives **TANF** benefits. December 1 is the later of the effective date of the TANF approval or the food stamp application date.

- b. A client applies for SSI on 11/10. He does not want to apply for food stamps at that time. On 12/3 he changes his mind and files a food stamp application. He would be ineligible for food stamps according to NA standards.

- 1) Suppose SSI determines the household eligible for a money payment on 12/30.

Because the household was determined eligible for SSI within the 30 day food stamp application processing time frame, the household is considered categorically eligible back to 12/3, the date of the food stamp application.

- 2) Suppose as of 1/2, the SSI determination is pending. The agency chooses to deny the food stamp application on the 30th day.

On 2/9, the household informs the agency that SSA approved SSI benefits retroactive to November. The agency reinstates the original food stamp application and provides food stamp benefits back to 12/3. That date is the later of the SSI effective date or the food stamp application date.

5. Categorical Eligibility and Benefit Level

Once the agency determines a household's entitlement to benefits, the EW must determine the benefit level. Other eligibility factors described in this manual apply to categorically eligible households in determining the benefit amount. The agency must prorate benefits for the initial month based on the application date. The following additional criteria apply:

- a. Any one or two person household is entitled to at least \$10, regardless of net food stamp income, except when benefits for the initial month prorate to less than \$10. **There will be no issuance in this instance.**
- b. Any household of four or more receive benefits if its net income entitles it to a benefit of \$2.00 or more on the appropriate allotment table, even if its net food stamp income is above the maximum for its household size.
- c. The agency must deny or terminate any categorically eligible household entitled to zero Food Stamp benefits.

I. AUTHORIZED REPRESENTATIVES (7 CFR 273.2(n))

The head of the household, spouse or any other responsible member of the household may designate an authorized representative to act on behalf of the household in making application for the Program or in using the food stamp benefits. In the event that the only adult living with a household is classified as a nonhousehold member (as defined in [Part VI.C.](#)), that individual may be the authorized representative for the minor household members. If households designate employers, growers, crew chiefs, etc. as authorized representatives for farm workers or when any single authorized representative has access to a large number of EBT cards, the EW should exercise caution to assure that the household freely requested the help of the authorized representative, the authorized representative is accurately stating the household's situation, and the authorized representative is properly using the food stamp benefits.

1. Making Application

When the head of the household or the spouse cannot file an application, another household member may apply or the household may designate an adult nonhousehold member as the authorized representative for that purpose. The head of the household or the spouse should prepare or review the application whenever possible, even though another household member or the authorized representative will actually be interviewed. The local agency must inform the household that the agency will hold the household liable for any overissuance that results from erroneous information given by the authorized representative, except as specified in [Part II.I.5.](#) regarding participation by residents of drug addict/alcoholic treatment and rehabilitation centers.

Households may designate adults who are nonhousehold members as authorized representatives for certification purposes only under the following conditions:

- a. The head of the household, spouse, or another responsible member of the household may designate the authorized representative in writing by the; and,
- b. The authorized representative is an adult who is sufficiently aware of relevant household circumstances.

The EW may determine on a case-by-case basis the frequency with which the agency requests the written designation at a subsequent recertification. The EW may request the household's written designation at the recertification application as often as deemed necessary.

Upon written authorization by the household, the representative must receive copies of all correspondence sent to the household itself. This will include all notices, e.g. Notice of Action, Notice of Expiration, etc. The agency must send the notices to the representative as long as the representative named on the authorization remains the household's authorized representative unless the written authorization specifies an ending date.

2. Using Food Stamp Benefits

The authorized representative may use food stamp benefits to purchase food for the household's consumption. The household will give its implied consent to the representative for access to the EBT account as long as the household does not withdraw access to the account by the representative, either by naming another representative or by canceling the representative's access.

3. Restrictions on Appointment

Certain individuals may not serve, as an authorized representative for a household unless the agency determines there is no one else to assist the household in this capacity. Restrictions apply to the designation of the following individuals as authorized representatives:

- a. Local agency employees;
- b. Retailers authorized to accept food stamp benefits;
- c. Individuals disqualified for an intentional program violation;
- d. Homeless meal providers, for homeless recipients.
- e. Previously named representatives who knowingly provided false information about a household's circumstances or improperly used the household's food stamp benefits.

Local agency employees who certify households **or who update the EBT administrative terminal or retailers who** accept food stamp benefits may not act in any capacity as an authorized representative without a determination by the local agency director/superintendent that no one else is available to serve. The agency must file the specific written approval of the local agency director/superintendent in the case file.

Individuals who are disqualified for an intentional program violation may not act as authorized representatives during the disqualification

period unless the disqualified individual is the only adult member of the household able to act on its behalf. The local agency must determine that no one else is available to serve. The local agency must determine separately whether households need these individuals to apply on behalf of the household, to obtain benefits, and to use the benefits for food for the household.

Example

A household has found an authorized representative to obtain its benefits each month, but it has not been able to find anyone to purchase food regularly with the benefits. If the local agency is also unable to find anyone to purchase the food, the disqualified member may do so.

Homeless meal providers may not act as authorized representatives for homeless food stamp recipients.

4. Documentation and Control

The local agency must ensure that the household properly designate authorized representatives. The household's case file must contain the name of the authorized representative. A household may have any number of authorized representatives to apply on its behalf but a household may have only one representative to receive its benefits through EBT.

If households designate employers, such as those that employ migrant or seasonal farm workers, as authorized representatives or that a single authorized representative has access to a large number of benefit access devices or coupons, the local agency must exercise caution to assure that:

- a. The household has freely requested the assistance of the authorized representative;
- b. The household's circumstances are correctly represented; and
- c. The authorized representative is properly using the **household's benefits**.

The local agency may disqualify an authorized representative from serving as a representative in the Food Stamp Program for up to one year. In order for the agency to disqualify a representative, the agency must have evidence that an authorized representative misrepresented a household's circumstances, knowingly provided false information pertaining to the household, or improperly used **food**

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stamp benefits. The local agency must send a letter to the affected household and the authorized representative thirty days before the disqualification date.

This letter must include at a minimum:

- 1) The proposed action;
- 2) The reason for the proposed action;
- 3) The household's right to request a fair hearing (Note: The authorized representative being disqualified may not request a hearing. Only the household may do so.);
- 4) The telephone of the office; and,
- 5) If possible, the name of the person to contact for additional information.

This provision to disqualify an authorized representative is not applicable in the case of drug and alcoholic treatment centers and those group homes that act as the authorized representative for their residents.

5. Drug Addict/Alcoholic Treatment Centers (7 CFR 273.2(n)); 7 CFR 273.11) (e))

Narcotic drug addicts or alcoholics who regularly participate in a drug or alcoholic treatment program on a resident basis may elect to participate in the Food Stamp Program. The treatment center must be a private, nonprofit organization or institution or a publicly operated community mental health center, under Part B of Title XIX of the Public Health Service Act. See [Part VII.C.2](#).

Residents must apply and be certified through the use of an authorized representative who must be an employee of and designated by the treatment center. The resident household, however, should assist in completing the application and should sign the application along with the authorized representative, prior to certification, if possible.

The treatment center representative will receive an EBT card on the household's behalf. The center must spend the food stamp benefits for food prepared by and/or served to the addict/alcoholic. The household may not directly access the food stamp benefits in his/her EBT account while residing in the treatment center. See Part VI.E for additional policies about residential treatment centers.

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6. Group Living Arrangements

Residents of public or private nonprofit settings for blind or disabled individuals may elect to participate in the Food Stamp Program. An appropriate agency of the state or locality must certify group living arrangements using regulations based on under Section 1616(e) of the Social Security Act.

Residents of group living arrangements may apply and be certified three ways:

- a. through the use of an authorized representative employed and designated by the facility;
- b. through the use of an authorized representative of the resident's own choice; or,
- c. on their own behalf.

If residents want to apply for themselves, the facility must determine if they are physically and mentally capable of managing their affairs.

In a single facility, there may be a combination of application methods used. For example, the facility may have some residents using authorized representatives and some applying on their own behalf.

The local agency must determine the eligibility of residents of group living arrangements who apply through the use of the facility's authorized representative as one-person households. Household composition provisions of [Part VI.A](#) will determine household size if residents apply on their own behalf.

See [Part VI.E](#) for additional policies about group living arrangements.

J. CERTIFICATION NOTICES (7 CFR 273.10(g))

1. Initial and Reapplications

The local agency must provide applicants with a Notice of Action as soon as the EW makes a determination on each application, but no later than 30 days after the date of the initial application or reapplication. The Notice of Action will inform an applicant household that its application has been approved, denied, or is to be held pending.

Note: The Appeals and Fair Hearings pamphlet must be provided with computer-generated action notices when applications are denied.

2. Recertifications

The local agency must provide households that have filed an application by the 15th of the last month of their certification period with a Notice of Action by the end of the current certification period. The local agency must provide households with a Notice of Expiration to initiate the recertification process. The local agency must provide households that have received a Notice of Expiration at the time of certification and have applied within the prescribed time frames, with a Notice of Action not later than 30 days after the date of the household's initial opportunity to obtain its last allotment. [Part IV.C.](#) describes the recertification procedures.

See [Part XXIV](#) for a sample of each of these forms and instructions.